

# The Effects of Electoral Malpractices on Nigeria Democratic Consolidation (1999-2013)

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## Abstract

After a long military rule that almost cripple the socio-economic of the country, Nigerians launched a new democratic dispensation on May 29, 1999. Although, this was highly embraced by the citizens thinking that the new era will bring development to individuals and the country at large. But the political system seems to have internalized more the ethos of impunity rather than suavity and civility that will thrive and consolidate democracy in the country. Even elections that are considered to be the minimum requirement of any political system, if it is to be admitted into the exclusive club of democracies have been grossly manipulated by political elite such that their outcomes merely reflect the wishes of the people. It is in this context that this paper explains some major issues and obstacles hindering democratic consolidation in relation to electoral malpractices in Nigeria from 1999-2013. The paper also assesses the prospects of consolidating democracy under the prevailing political condition. Finally, the paper concluded that politicians, Independent National Electoral Commission (INEC) and even the judiciary have not shown respect for democracy in Nigeria, and so the best way to restore people's confidence in the electoral system and democracy is by creating an enabling environment for free and fair elections.

**Keywords:** Democracy, Democratic Consolidation, Electoral Malpractice, Election

## 1. Introduction

Since the return to civil rule on 29 May 1999, Nigeria has held four general elections, apart from sundry re-run elections and local government polls. Out of the four general elections conducted, only the 2011 general election met both the local and international standard. But the disturbing trend is that each general election was worse than the preceding one (2003 was worse than 1999; and 2007 was worse than 2003). This trend shows that our country is faring very badly at each passing election as nobody can talk of consolidating democracy in such an environment. This is because the leaders seem to have forgotten that conducting a free and fair election is vital to the growth and development of any democratic process. Also, an average Nigerian voter is interested in immediate pecuniary or material rewards, and will easily trade off his votes when appropriately induced. This can be explained by the crippling poverty facing the people in the absence of government's provision of the basic amenities required for decent living, as well as their justified distrust of the political leaders (Ebegbulem 2011).

Indeed, one major element of electoral process is that election must be conducted in a free and fair atmosphere, while electoral results must reflect the wishes of the people. Nigeria's experience in this regard had since independence been contrary to this expectation. This is because previous and present electoral bodies had conducted elections in a way that favoured the ruling political parties through poor planning, the device of excluding electorates from voting in places considered to be the strongholds of opposition, inadequate supply of voting materials, and late arrival of electoral officers to polling stations. Example of such was the recent conduct of the November 16, 2013 governorship election in Anambra State, Nigeria. In addition, there have been cases in which candidates that won electoral primaries were replaced by candidates that either never contested or were defeated during the exercise. A case in point was that of Rotimi Amaechio that was substituted to Celestine Omehiua for the 2007 gubernatorial election in Rivers State by the Peoples Democratic Party (PDP). Moreover, the scenario in which flag bearers of political parties either in the Presidential or Gubernatorial election were disqualified from contesting elections few days to the conduct of elections for no genuine reason by the electoral body as observed in the 2007 general elections was an indication that the electoral body was not truly independent of government as those decisions served the interest of the ruling political party.

Nigeria's fourteen years of uninterrupted democratic experience cannot in any way be compared with that of United States which is over two hundred years or with Britain over three hundred years. This is because there are still cases of anti-democratic practices, especially in the areas of electoral processes, rule of law and constitutionalism (Kwasau 2013). Also, related to this problem is the fact that electoral malpractices often lead to legitimacy crisis which help to erode democratic practices. Moreover, the culture of impunity especially with

reference to corruption is an endemic challenge to democratic stability in Nigeria. Although, this attitudinal disposition is not limited to the economic realm, it also sub sit at the political sphere where elective offices are seen as the quickest means of wealth accumulation. It was therefore, not surprising that winning election is considered a matter of do-or-die, where every candidate and their political godfathers employ illegal strategies including, rigging, falsification, blackmail and even killing of opponents in other to clinch power. The situation in most parts of the country was largely responsible for the colossal siphoning and channeling of state resources to unproductive ventures, prevalence of mediocre into appointive offices and prolonged political instability as experienced in Anambra and Oyo States. Obviously, democracy can hardly be consolidated under this political atmosphere. Hence, this paper raises some penetrating questions like; what are the obstacles to democratic consolidation in Nigeria and what are the solutions to these abnormalities?

## 2. Literature Review

### 2.1 The concept of Democracy

The general consensus among scholars in the recent time appears to support the view that the concept of "democracy" has attracted an overwhelming influx of interpretative connotations and that there are now almost as many definitions of democracy as there are writers on the subject. This development no doubt makes precise definition of democracy a herculean or highly elusive task. The lack of precision and accuracy in the definition of democracy may have prompted Cnudde (cited in Obah-Akpowoghaha 2013), to assert that "the language of democracy is particularly clustered". Therefore, democracy in its clusteredness has produced diversity and variation both in conceptualization and practice throughout ages. For instances, and as rightly observed by (Obah-Akpowoghaha 2013), "the Athenian democracy was substantially different from nineteenth century English democracy which in turn, is different from democracy in the United States in the 1960's". In similar fashion and stemming from the general distortion over the concept of democracy, democratic practice has equally assumed various forms as it is clothed in many names direct and indirect democracy, people or popular, authoritarian, consociational, grassroots and guided democracies, that the concept of democracy has become somewhat confusing, if not misleading. Perhaps, it is in recognition of the general confusion and distortion over the concept of democracy that Cnudde (cited in Awuodu 2012) made the following observation:

‘Democracy is an inherently difficult concept. It means many things to many people. As a general summary concept, it holds numerous implications and connotations which are frequently complex and often contradictory’.

To this, the conceptualization and definition of democracy held by individual scholar over the world have been greatly influenced by their local environment as dictated by prevailing political circumstances. Sadaro (cited in Ojie 2006) in an opinion survey, based on repeated empirical data have buttressed the fact of environmental circumstances of individual conceptualization of democracy when he observes in the following words, that:

“People around the world have different conception of what democracy means: when asked to define the term, a typical American may conjure up images of election campaigns and voting booths, but a typical Russian may define democracy mainly in terms of prosperity and relative economic equality. For a Chinese student, democracy may above all mean freedom of speech or safeguards against arbitrary arrest, for Japanese, it may mean more power for elected officials and less for the unelected bureaucracy. For a black South African, democracy may mean the absence of white domination, for an Italian, it may mean a system of government that is free of political corruption. To be sure, people in all countries may agree that democracy entails a combination of such things as voting, rights, economic opportunity, free speech, parliamentary lawmaking, etc. Even so, people will often differ about what democracy primarily mean to them, depending on the political circumstances under which they live”.

In the liberal perspective of democracy, Ojie (2006) describes democracy in the following words:

“The essential idea of democracy is that the people have the right to determine who governs them. In most cases they elect principle governing officials and hold them accountable for their action. Democracy also impose legal limit on the government's authority by guaranteeing certain rights and freedom to their citizens”.

This conceptualization of democracy no doubt captures several of the core notions most often associated with democracy: legitimacy based on popular free and fair determination of periodically elected government; accountability of those in political office, limited government and guaranteed civil right and freedoms, majority rule as well as minority protection, judiciary independence and economic development.

Thus, literally, democracy signifies “the rule of the people”. Abraham Lincoln’s definition of Democracy is very close to its literal meaning. It reads: “Democracy is the government of the people, by the people, and for the people. To him, Democracy as a form of government implies that the ultimate authority of government is vested in the common people so that public policy is made to conform to the will and serve the interests of the people. Democracy is government by consent of the people. Rational consent can be obtained by persuasion for which an atmosphere of free discussion is essential. Any regime where the consent of people is sought to be obtained without freedom of expression of divergent opinions, does not qualify for being called democracy even if it maintains certain democratic institutions.

## **2.2. Democratic Consolidation and Electoral Malpractices in Nigeria**

The concept of democratic consolidation applies differently to different societies at various stages of democratic development. Democratic consolidation may be defined as a status of democratic maturity such that it can no longer be threatened or truncated by reactionary forces whether internal or external. But, the nice thing with the term “democratic consolidation” according to Schedler (cited in Inokoba & Kumokor 2011) is its seemingly infinite patience and malleability. It is a term that contains few semantic constraints, and talk about democratic consolidation pre supposes that a democratic regime exist from the beginning to the end of the process. Democracy is at the same time the indispensable starting point of democratic consolidation (inform of a “consolidating democracy”) and its hopeful outcome (inform of a “consolidated democracy”). Then, “consolidation is the term that denotes both movement and arrival, both progress and achievement, and that accounts for the teleological nature of democratic consolidation”. It express goal is soliditing i.e. firmness, robustness, stability, qualitative, more qualitative and valuable. In the view of Schedler (cited in Obah-Akpowoghaha 2013), democratic consolidation is the process by which a new democracy matures, such that it is unlikely to revert to authoritarianism. It also assumes two things, the first being that there is already in existence a state of democracy characterized by all democratic features via periodic election, security of life and property, fundamental human rights and freedom, constitutional stability as a fulcrum of society and governmental stability and also opportunities for equality, justice and fair play. On the other hand, it assumes that there is a need to consolidate the base of the existing democracy. This implies making firmer, more solid and more resilient the base of the existing democracy.

Diamond (1999) sees democratic consolidation as the process of achieving broad and deep legitimation such that all significant political actors believe that popular rule is better for their society than any other realistic alternative they can imagine. For him, it also connects the act of reducing the probability of the system to the point where democracy can be said that it will persist. Democratic consolidation was meant to describe the challenge of making new democracy secure, of extending their life expectancy beyond the short term, of making them immune against the treat of authoritarian regression, or building dams against eventual “reverse waves”. While, electoral malpractice is a process by which the rule and regulations that govern the conduct of election are manipulated to favour specific interests. This can also assume several methods and strategies including outright rigging and falsification of electoral result. However, electoral malpractice can take place before, after and during election. In the same vein, Bamiaye & Awofeso (2011) defines electoral malpractices as the reflect determination of politicians, political actors and political parties to capture power by all means and at all cost. For him, politicians involve all sorts of electoral malpractices such as rigging of elections and the intimidation of voters in order to subvert the electoral process.

Certainly, governance implies the exercise of power by a person or group of persons for the benefit of the populace. The government in power dictates the form of relationship it established between it and the people as well as the goals of the state in economic, political and social terms. In theory, power resides with the people; and in a normal democratic situation, it is transferred to the leaders by a process of election which in theory also means that leader should exercise the power in the interest of the states. However in some cases, government becomes tyrannical and does not fulfill its own side of the bargain. In this situation, the burden of correcting this responsibility rests with the people Dauda & Avidime (2007). This brings in the issue of electoral process and the soul of which is the ballot system. The people are aware that each ballot paper represents an individual sovereignty. In an ideal situation, the totality of the vote signifies that popular sovereignty can vote an unpopular government out of office. Therefore, the responsibility of directing the future of the state lies with the people.

This ideal situation hardly operates in Nigeria because of the intervention of many factors among which is the ignorance of the people of their right and responsibility under a democratic system. Consequently, the politicians being conscious of the spoils of offices, adopt various means to ensure that they capture power by influencing electoral officials, buying votes, rig election and commit other electoral malpractices designed to subvert the people's will to choose leaders capable of leading the state towards growth and development.

### **3. Obstacles to Democratic Consolidation in Relation to Electoral Malpractices in Nigeria**

Electoral frauds have been one of the major challenges to the growth and development of the country and these has grown steadily worse and more daring. The 2003/2007 general elections has been described by both the local and international observers as the worst ever election conducted in the history of the country and these have made it difficult in consolidating the nature and significance of democracy (Ebirim 2013). However, some of the challenging issues of democratic consolidation in relation to electoral malpractices will be discussed as follows.

Corruption as one of the major obstacle to democratic consolidation in Nigeria is defined as the exploitation of public position, resources and power for selfish gain. Similarly, Obayelu (2007) views corruption as "an effort to secure wealth or power through illegal means for private gain at public expense, or a misuse of public power for private benefits". Apparently, corruption may be classified into three broad categories, namely; bureaucratic, economic and political corruption, but this analyze will discuss more on political corruption. Gyekye (1997) defines political corruption as the "illegal, unethical and unauthorized exploitation of one's political or official position for personal gain or advantage". Thus, this means that the most prominent victims of political corruption include the citizens of a political community and public interests in general. Drawing from the above explanations, it will be appropriate to state that political corruption includes electoral fraud, favouritism, nepotism and even illegal seizure of political power. Consequently, consolidating democracy remains grossly unstable and the future seems to be very bleak due to the rampant bureaucratic and political corruption in the country. This is because corruption in Nigeria has reached a high crescendo. An average Nigerian associates corruption to democracy in the name of "sharing of national cake". An example of such was witnessed during the 2011 voters' registration and the conduct of general elections in the country (Ebirim 2013).

Poverty is also seen as an impediment to democratic consolidation in Nigeria. This is because the high rate of corruption in the country has put a good number of the citizens in an abject poverty and this has also increased the rate of electoral frauds during the conduct of elections. Poverty according to the United Nations statement says "it is a denial of choices and opportunities, a violation of human dignity. This is why Ake (cited in Kwasau 2013) states that "a society of beggars' parasites and bandits cannot develop. He further said that such society cannot know peace or stability and cannot be democratic. This shows that an individual deprived of the basic wherewithal cannot participate effectively in a democratic system.

Lack of internal democracy and party defection has negative impact in the process of democratic consolidation in Nigeria. The guiding principle of political party organizational structure, democratic system and internal party democracy signifies the active participation of all party members to contest any position both within the party and for public office. Since the transition of democracy in 1999, political parties have faced the problem of nondemocratic practices. The expectation generally is that political parties must be democratic not only externally in their goals but also democratic internally in their organizational practice and behaviour. However, the absence of internal democracy in Nigerian political parties has become a persistent threat to the country's nascent democracy. This is because various political parties have failed to adopt the provisions of the party's constitutions to all party members who are eligible and want to run for office in their party primaries. Also, the unwarranted situations of plethora of defections among legislators, governors, deputy governors, and other party member has make caricature of democracy and belittles the spirit of democratic consolidation in Nigeria (Mbah 2011). Recently, most chieftains and big wigs of people's Democratic parties (PDP) have decamped to All Progressive Congree (APC) due to crackers going on in the party. Also the defection of Imo state governor Rochas Okorocha to APC from All Progressives Grand Alliance (APGA) has made him to sack some of his commissioner who refused to join him in APC. Thus, this attitude of our politicians will not only belittle our democratic consolidation but will not move it forward.

Finally, absence of free and fair election is also one of the major challenges to democratic consolidation in Nigeria. This has discouraged a large number of qualified citizens in participating in any election. This is because participation is meaningful when the votes of the participants count but not when their votes are subverted for the interest of the few (Osinakachukwu 2011). In Nigeria, leaders that emerged victorious in her elections rigged themselves into the corridors of power and this restricted the chances of true candidates from winning the election even though they are people's choice. In a society where candidate(s) is imposed against the

will and choice of the people, democracy cannot be consolidated there. Also, election riggings over the years in Nigeria have aided to the violation of the principle of fundamental human rights which A.V Dicey advocates as the right to life for every citizen born in a country.

#### 4. A Way Forward

Indeed, it is certain that Nigerians desire democracy above any form of authoritarianism, but their perception of democracy and even the sure in which it operates are distorted by numerous socio-political factors. Hence, solutions to the problem of democratic consolidation in Nigeria must be sought for at the level of political institutions, and the level of individual citizens. At the individual level, political office holders should be made accountable to the people they represent. This should be one of the functions of the political party; whereby regular forum of interactions should be organize between the people and their representatives at the various levels. While at the masses level, more political awareness and education is needed to transform the people into democratic citizens, whereby they can stand up for their rights against the government, including the capacity to demand for accountability.

Another way forward out of electoral malpractices towards consolidating democracy in Nigeria is to embrace political unity and encourage political participation by avoiding all forms of electoral malpractices. Accordingly, democracy can be conceived in theory or created in practice without the creation, recognition, encouragement and expansion of the opportunities for participation. For instance, in Nigeria the type of political culture that was exhibited during the 2003 general election may cause the emergence of largely non participatory attitude or political apathy in the country. The outcome of elections conducted in 1983, 1999, 2003 and 2007 has been fiercely contested that the survival of the democratic order has been compromised in many ways. These results have therefore been sub- version of the democratic process rather than its consolidation.

#### 5. Conclusion

The progress of democratic consolidation in Nigeria is circuitous and dilatory with an indeterminate pattern, tainted with excessive personalism. This is because the rule of law is not institutionalized; human rights are sometimes brazenly, and sometimes subtly abused; even elections are not only violent, but are administered unfairly to the benefit of the party in power. It is however believed that Nigerians desire a true democracy and the best way to restore the people's confidence in the electoral system and democracy is by creating an enabling environment for free and fair elections. To this, various stakeholders such as the independent national electoral commission (INEC), the judiciary and the politicians should rise to the challenges preventing democratic consolidation in the Nigeria. Also, the political leaders and the elite should respect the constitution of the country.

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